

Docket No.

Q040

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
METHOD AND APPARATUS FOR INSERTION OF ELONGATE INSTRUMENTS WITHIN A BODY CAVITY

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number) (Country) (Day/Month/Year Filed)

☐

(Number) (Country) (Day/Month/Year Filed)

☐

(Number) (Country) (Day/Month/Year Filed)

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I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Daniel L. Dawes, Reg. No. 27,123

Richard L. Myers, Reg. No. 26,490

Joseph C. Andras, Reg. No. 33,469

Vic Y. Lin, Reg. No. 43,754

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Direct Telephone Calls to: *(name and telephone number)*

Daniel L. Dawes (714) 444-1199

Full name of sole or first inventor

Paul Kurth M.D.

Sole or first inventor's signature

Paul Kurth

Date

10/12/00

Residence

30423 Miraleste Drive

Citizenship

Rancho Palos Verdes, CA 90275

Post Office Address

Same

Full name of second inventor, if any

Second inventor's signature

Date

Residence

Citizenship

Post Office Address

| VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (b)) - INDEPENDENT INVENTOR | | | Docket No. Q040 |
|---|-------------|------------|---------------------------|
| Serial No. | Filing Date | Patent No. | Issue Date |
| <div style="display: flex; justify-content: space-between;"><div>Applicant/ Patentee: Paul Kurth, M.D.</div><div style="text-align: right; font-weight: bold; transform: rotate(-15deg);">OCT 17 2000</div></div> | | | |
| Invention: METHOD AND APPARATUS FOR INSERTION OF ELONGATE INSTRUMENTS WITHIN A BODY CAVITY | | | |
| <p>As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled above and described in:</p> <p><input checked="" type="checkbox"/> the specification to be filed herewith. <input type="checkbox"/> the application identified above. <input type="checkbox"/> the patent identified above.</p> <p>I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p> <p>Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:</p> <p><input type="checkbox"/> No such person, concern or organization exists. <input checked="" type="checkbox"/> Each such person, concern or organization is listed below.</p> <p>*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)</p> <div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 15%;">FULL NAME</div><div style="width: 85%; border-bottom: 1px solid black;">Paul Kurth, M.D.</div></div><div style="display: flex; justify-content: space-between;"><div style="width: 15%;">ADDRESS</div><div style="width: 85%; border-bottom: 1px solid black;">30423 Miraleste Drive, Rancho Palos Verdes, CA 90275</div></div><div style="display: flex; justify-content: space-around; margin-top: 5px;"><div><input checked="" type="checkbox"/> Individual</div><div><input type="checkbox"/> Small Business Concern</div><div><input type="checkbox"/> Nonprofit Organization</div></div></div> <div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 15%;">FULL NAME</div><div style="width: 85%; border-bottom: 1px solid black;"></div></div><div style="display: flex; justify-content: space-between;"><div style="width: 15%;">ADDRESS</div><div style="width: 85%; border-bottom: 1px solid black;"></div></div><div style="display: flex; justify-content: space-around; margin-top: 5px;"><div><input type="checkbox"/> Individual</div><div><input type="checkbox"/> Small Business Concern</div><div><input type="checkbox"/> Nonprofit Organization</div></div></div> <div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 15%;">FULL NAME</div><div style="width: 85%; border-bottom: 1px solid black;"></div></div><div style="display: flex; justify-content: space-between;"><div style="width: 15%;">ADDRESS</div><div style="width: 85%; border-bottom: 1px solid black;"></div></div><div style="display: flex; justify-content: space-around; margin-top: 5px;"><div><input type="checkbox"/> Individual</div><div><input type="checkbox"/> Small Business Concern</div><div><input type="checkbox"/> Nonprofit Organization</div></div></div> <div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 15%;">FULL NAME</div><div style="width: 85%; border-bottom: 1px solid black;"></div></div><div style="display: flex; justify-content: space-between;"><div style="width: 15%;">ADDRESS</div><div style="width: 85%; border-bottom: 1px solid black;"></div></div><div style="display: flex; justify-content: space-around; margin-top: 5px;"><div><input type="checkbox"/> Individual</div><div><input type="checkbox"/> Small Business Concern</div><div><input type="checkbox"/> Nonprofit Organization</div></div></div> | | | |

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Paul Kurth, M.D.

SIGNATURE OF INVENTOR *Paul Kurth*

DATE: 10/12/00

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____

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